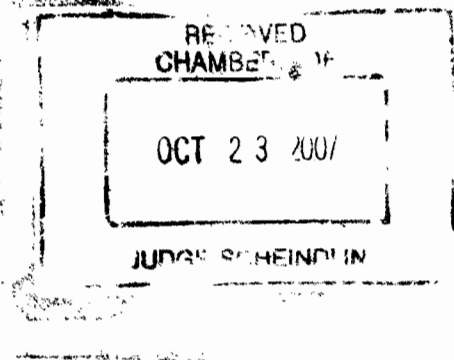


HARMON, LINDER & ROGOWSKY

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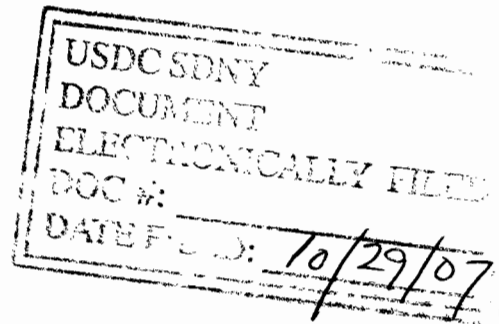
Tel.: (212) 732-3665
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October 19, 2007

Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

RE: Tyrone Long v. Advie Pyle Inc.:
Case No.: 2007-CV-6813



Dear Honorable Scheindlin:

As the attorneys for the plaintiffs in the above-referenced action, I am writing to inform the Court that the plaintiffs are demanding a judgment against the defendants in the sum of seventy-five thousand dollars and 00/100 (\$75,000), all together with costs and disbursements of this action. An affirmation by the undersigned to this effect is enclosed herein.

Since the basis for jurisdiction in this case is diversity, and since the judgment that the plaintiffs' are seeking does not exceed seventy-five thousand dollars, there is not any jurisdictional basis for this case to remain in federal court. Further, the issue of subject matter jurisdiction can be raised at any time. Accordingly, we respectfully request that this case be transferred to the Supreme Court of New York, Bronx County.

Thank you for your attention to this matter.

Very truly yours,

Mark J. Linder, Esq.

Enclosure

cc:

With Enclosure

RAWLE & HENDERSON LLP
Attorneys for Defendants
140 Broadway, 46th Floor
New York, NY 10005
(215) 575-4319

Plaintiff's request to remand this action to state court is denied. The Court's subject matter jurisdiction over the action is assessed at the time of removal. Because the Court had subject matter jurisdiction at the time of removal, and because plaintiff's request is untimely, this action will not be remanded.

Date: Oct. 29, 2007

SO ORDERED:

Shira A. Scheindlin, USDJ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TYRONE LONG and TONI LONG,

Plaintiffs,

Case No.: 07-CV-6813

-against-

ADVIE PYLE INC. and RUBEN D. CORTEZ,

Defendants.
-----X

AFFIRMATION

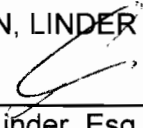
Mark J. Linder, Esq., an attorney duly authorized to practice law before the courts of the State of New York, hereby affirms the following to be true under the penalties of perjury:

1. I am a member of Harmon, Linder & Rogowsky, Esqs., the attorneys of record for the plaintiffs, TYRONE LONG and TONI LONG, in the above-captioned matter.

2. The plaintiffs demand a judgment against the defendants in the sum of SEVENTY-FIVE THOUSAND DOLLARS and 00/100 (\$75,000) all together with costs and disbursements of this action.

Dated: New York, New York
October 19, 2007

HARMON, LINDER & ROGOWSKY

By: 
Mark J. Linder, Esq.
42 Broadway, Suite 1227
New York, New York 10004
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